

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

KAITLYNN GANNON,

Plaintiff,

**NOTICE OF MOTION
TO COMPEL AND FOR
PROTECTIVE ORDER TO FILE
UNDER SEAL**

vs.

1:24-CV-00518-JLS-HKS

SHERIFF MICHAEL J. FILICETTI
NIAGARA COUNTY SHERIFF'S OFFICE
STEPHEN W. GAYDOS
LAURA MOLL, and
JOHN AND JANE DOE
JOHN AND JANE SMITHS #1 TO #10
COUNTY OF NIAGARA,

Defendants.

PLEASE TAKE NOTICE, that upon the accompanying Declaration of Christopher R. Poole, Esq., dated July 25, 2024, with attached exhibits, and all the pleadings and proceedings had herein, Plaintiff KAITLYNN GANNON, by and through her attorneys, LIPSITZ GREEN SCIME CAMBRIA LLP, will bring a motion before this Court, before the Hon. H. Kenneth Schroeder, Jr., on a date and time for submission and/or oral argument to be determined by the Court, for an Order: (i) compelling limited discovery from Defendants SHERIFF MICHAEL J. FILICETTI, NIAGARA COUNTY SHERIFF'S OFFICE, STEPHEN W. GAYDOS, LAURA MOLL, and COUNTY OF NIAGARA; (ii) compelling limited discovery from non-party Tess Harmon (a/k/a Tess Stewart) of complete responses to the April 29, 2024 subpoena, issuance of the proposed judicial subpoena, and the limited deposition of Tess Harmon (Stewart); and (iii) for a prospective protective order for Plaintiff to allow the filing of an affidavit under seal to oppose Defendants'

anticipated motion to dismiss the First Amended Complaint; and (iv) for such other relief as the Court deems just and proper.

Pursuant to Local Rule 7(b), any opposing papers must be served at least fourteen (14) days prior to the return date.

DATED this 25th day of July, 2024.

/s/ Christopher R. Poole, Esq.

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